

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, MAY 11, 2000**

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Judith W. Downer, Dranesville District
Suzanne F. Harsel, Braddock District
Peter F. Murphy, Jr., Springfield District
Ilryong Moon, Commissioner At Large
John B. Kelso, Lee District
Ronald W. Koch, Sully District
John M. Palatiello, Hunter Mill District
Linda Q. Smyth, Providence District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: Janet R. Hall, Mason District

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The meeting was called to order at 8:25 p.m. by Vice Chairman John R. Byers.

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COMMISSION MATTERS

Commissioner Smyth MOVED THAT WE DEFER THE PUBLIC HEARING ON RZ-1999-PR-060 AND FDP-1999-PR-060 TO A DATE CERTAIN OF MAY 25, 2000.

Commissioner Downer seconded the motion which carried unanimously with Commissioners Alcorn, Murphy and Wilson not present for the vote; Commissioner Hall absent from the meeting.

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Commissioner Palatiello announced his intention to defer the public hearing on 2232-H00-10 from its presently scheduled date of Wednesday, May 17, 2000. He said that a new date had not yet been determined.

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RZ-1999-SU-065 - LANDMARK PROPERTIES, LLC (Decision Only)

(The public hearing on this application was held on March 22, 2000. A complete verbatim transcript of the decision made on this item is included in the date file.)

Commissioner Koch MOVED THAT WE RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ-1999-SU-065, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE CONTAINED IN APPENDIX 1 OF THE ADDENDUM.

Commissioner Smyth seconded the motion which carried unanimously with Commissioners Alcorn, Murphy and Wilson not present for the vote; Commissioner Hall absent from the meeting.

Commissioner Koch MOVED THAT WE RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE MINIMUM DISTRICT SIZE.

Commissioner Smyth seconded the motion which carried unanimously with Commissioners Alcorn, Murphy and Wilson not present for the vote; Commissioner Hall absent from the meeting.

Commissioner Koch MOVED THAT WE RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE MINIMUM ONE ACRE OPEN SPACE REQUIREMENT FOR CLUSTER SUBDIVISIONS.

Commissioner Smyth seconded the motion which carried by a vote of 7-1 with Commissioner Harsel opposed; Commissioners Alcorn, Murphy and Wilson not present for the vote; Commissioner Hall absent from the meeting.

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2232-D00-11 - BELL ATLANTIC MOBILE, INC. (Decision Only)

(The public hearing on this application was held on May 10, 2000. A complete verbatim transcript of the decision made on this item is included in the date file.)

Commissioner Downer MOVED THAT THE PLANNING COMMISSION DETERMINE, IN ACCORDANCE WITH SECTION 15.2-2232 OF THE CODE OF VIRGINIA, THAT THE TELECOMMUNICATIONS FACILITY AS IT WILL BE CHANGED BY BELL ATLANTIC MOBILE AND NEXTEL, AT THE I-495/ GEORGETOWN PIKE EXIT IN MCLEAN, BE FOUND SUBSTANTIALLY IN ACCORD WITH THE PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioner Hall absent from the meeting.

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FS-P00-58 - NEXTEL, 7801 Leesburg Pike

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION THAT THE PROPOSED TELECOMMUNICATIONS FACILITY BY NEXTEL

COMMUNICATIONS, INC., FOR THE HOTEL BUILDING LOCATED AT 7801 LEESBURG PIKE, IS IN CONFORMANCE WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A "FEATURE SHOWN" PURSUANT TO SECTION 15.2-2232 OF THE CODE OF VIRGINIA.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and Palatiello not present for the vote; Commissioner Hall absent from the meeting.

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FS-P00-49 - NEXTEL, 1766 Chain Bridge Road

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION THAT THE TELECOMMUNICATIONS FACILITY PROPOSED BY NEXTEL COMMUNICATIONS, FOR THE LEWINSVILLE WATER TOWER LOCATED AT 1766 CHAIN BRIDGE ROAD, IS IN CONFORMANCE WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A "FEATURE SHOWN" PURSUANT TO SECTION 15.2-2232 OF THE CODE OF VIRGINIA.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and Palatiello not present for the vote; Commissioner Hall absent from the meeting.

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FSA-P96-34-1 - AT&T WIRELESS, 7799 Leesburg Pike

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION THAT THE MODIFICATIONS PROPOSED BY AT&T WIRELESS SERVICES FOR THE TELECOMMUNICATIONS FACILITY LOCATED AT 7799 LEESBURG PIKE, ARE IN CONFORMANCE WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN AND CONSISTENT WITH THE PRIOR APPROVAL GRANTED BY THE PLANNING COMMISSION UNDER FS-P96-34 ON FEBRUARY 5, 1997. THEREFORE IT IS RECOMMENDED THAT THE MODIFICATIONS BE CONSIDERED A "FEATURE SHOWN" PURSUANT TO SECTION 15.2-2232 OF THE CODE OF VIRGINIA.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and Palatiello not present for the vote; Commissioner Hall absent from the meeting.

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ORDER OF THE AGENDA ITEMS

Secretary Harsel set the following order for the agenda items:

1. 2232-P00-13 - BELL ATLANTIC MOBILE, INC.
2. 2232-P00-5 - AT&T WIRELESS SERVICES

This order was accepted without objection.

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2232-P00-13 - BELL ATLANTIC MOBILE, INC. - Appl. under provisions of Sects. 15.2-2204 & 15.2-2232 of the Code of Virginia to establish a telecommunications facility, consisting of a 100-ft. tall monopole, panel antennas, & equipment shelter, within the VDOT right-of-way near I-66 & Grovemore Lane in Merrifield. Tax Map 49-1 (VDOT right-of-way.) PROVIDENCE DISTRICT. PUBLIC HEARING.

Ms. Pam Nee, Planning Division (PD), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Frank Stearns, Esquire, with Wilkes, Artis, Hedrick and Lane, noted that Bell Atlantic had recently changed its name to Verizon Wireless. He explained that the applicant had been asked by the Virginia Department of Transportation (VDOT) to erect a monopole at this location in conjunction with its Intelligent Transportation System, in an area where the applicant also needed coverage. He noted that there was a lot of nearby residential development and this location in the I-66 right-of-way seemed appropriate. He stated that this was not a camera location for VDOT, but would be used for an antenna to communicate with highway message boards. Mr. Stearns presented photos of the existing facility and noted that there was room at this site for additional carriers. He concluded his presentation by saying that this monopole in the highway right-of-way had a minimal visual impact on adjacent residences.

Mr. Stearns responded to questions from Commissioner Smyth regarding the fate of the monopole if I-66 was widened, the alternatives investigated, and screening.

In response to a question from Chairman Murphy, Mr. Stearns acknowledged that the pole had been in place for two years and VDOT had yet to avail itself of the opportunity to install its antenna.

Mr. Stearns responded to questions from Commissioner Wilson regarding access to the site for maintenance purposes.

Chairman Murphy called the first listed speaker and recited the rules for public testimony.

The following five individuals spoke in opposition to the application. They cited aesthetic concerns and lower property values as the main reasons for their opposition.

1. Mr. Philip Thompson, 2765 Knollside Lane, Vienna,
representing the Dunn Loring Improvement Association

2. Ms. Tamara Barros, 2770 Grovemore Lane, Vienna
3. Ms. April Stull, 2783 Grovemore Lane, Vienna
4. Mr. Steve Pointer, 2774 Grovemore Lane, Vienna
5. Ms. Kai Yu, 2771 Grovemore Lane, Vienna

Mr. Thompson responded to questions from Commissioner Palatiello concerning the claim that the existence of the monopole lowered property values.

In response to questions from Commissioner Downer, Ms. Stull said that her subdivision, Dunn Loring Village, was 20 years old. Commissioner Downer commented that she would investigate property values in that neighborhood.

There being no further speakers, Chairman Murphy called upon Mr. Stearns for a rebuttal statement.

Mr. Stearns suggested that a deferral of the decision would allow time for the applicant to meet with citizens in the area. He maintained that property values were not adversely affected by the monopole and that it posed no danger to the residents.

Commissioner Palatiello commented that this monopole could be relocated and accessed through a maintenance door installed in a sound wall. Mr. Stearns said he would investigate that option.

In response to questions from Commissioner Byers, Mr. Stearns reiterated that there was no VDOT antenna on the pole at this time.

Chairman Murphy said that, from his experience on the Telecommunications Task Force, it was his understanding that one of the intents of the objectives in the Comprehensive Plan was to encourage co-location of facilities whenever possible to reduce the number of poles needed. He added, however, that that goal was not being met if VDOT had yet to install its antenna.

In response to a question from Chairman Murphy, Mr. David Marshall, PD, DPZ, said he believed this to be the only instance where VDOT had not yet installed its equipment, but that he would be happy to check into it further.

Commissioner Smyth announced her intention to defer decision and suggested to Mr. Stearns that he contact the residents of Dunn Loring Village and Dunn Loring Woods.

There being no further comments or questions from the Commission and Ms. Nee having no closing staff remarks, Chairman Murphy closed the public hearing and recognized Commissioner Smyth for a deferral motion. (Verbatim excerpts are in the date file.)

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Commissioner Smyth MOVED THAT WE DEFER DECISION ONLY ON 2232-P00-13, BELL ATLANTIC MOBILE, TO A DATE CERTAIN OF JUNE 21, 2000.

Commissioners Byers and Wilson seconded the motion which carried unanimously with Commissioner Hall absent from the meeting.

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2232-P00-5 - AT&T WIRELESS SERVICES - Appl. under provisions of Sects. 15.2-2204 & 15.2-2232 of the Code of Virginia to establish a telecommunications facility, consisting of a 120-ft. tall monopole, panel antennas, & equipment cabinet, at the Rt. 50 (Arlington Blvd.) interchange on I-495 in Merrifield. Tax Map 49-4 pt. (VDOT right-of-way.) PROVIDENCE DISTRICT. PUBLIC HEARING.

Mr. Michael Hines, Planning Division (PD), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the application.

In response to questions from Commissioner Palatiello, Mr. Hines stated that staff relied upon the applicant's statements regarding attempts to locate alternative sites.

In response to questions from Commissioner Palatiello, Mr. David Marshall, Director, PD, DPZ, explained that, given the situation at this particular site, staff did not extensively explore alternatives.

In response to questions from Commissioner Wilson, Mr. Marshall clarified that staff did not investigate alternative locations. He added that this was not unusual and that staff routinely relied on the applicant's assessment of alternatives because of the technical requirements involved.

Commissioner Alcorn commented that, in addition to using the criteria outlined in the Comprehensive Plan and staff's recommendation, he also considered the public input on whether a given facility was objectionable, in making his decision.

Commissioner Palatiello once again commented on the issue of alternative sites. He suggested that more investigation was needed and that staff should require documentation of the applicant's attempts to find other sites.

Commissioner Smyth noted that the subject facility was installed two years ago and if alternatives were to be investigated, such a search would have to be based on what was available at that time, not what was available now.

Commissioner Byers agreed with Commissioner Palatiello that documentation of the applicant's efforts to locate alternative sites would be useful.

Commissioner Downer commented that the Virginia Department of Transportation (VDOT) had chosen the location and offered the applicant an opportunity to establish facilities. She said it put an unfair burden on both staff and the applicant to expect an extensive investigation of alternatives in these cases where the facilities were already in place.

Commissioner Palatiello commented that the rules should apply to all applications, regardless of the reason for their submission.

Terrence Cooke, Esquire, with Cole, Raywid and Braverman, explained that VDOT had a traffic camera mounted at this location. He presented photographs of the pole from various viewpoints and noted that there was substantial tree cover on the site that screened the equipment cabinet and base of the pole. He pointed out that the site was in an commercial area and that the nearest residential development, Yorktowne Square, had raised no objections to this application.

Commissioner Alcorn commented that, based on his personal experience, the residents of Yorktowne Square were not reluctant to voice their opinions of telecommunication facilities and the fact that they raised no objections after a presentation by the applicant was a strong message in itself.

Mr. Cooke continued his presentation, noting that, because of the expense involved in erecting a free-standing monopole, the applicant actually preferred to locate its facilities on an existing structure whenever possible. He added that of the three building owners approached, two declined to negotiate for space on their buildings at all and the applicant could not agree on a suitable rooftop location with the third.

In response to questions from Commissioner Moon, Mr. Cooke explained that the search for alternative sites took place more than two years ago and that the applicant had not renewed the search since that time.

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There being no further comments or questions from the Commission or closing staff remarks, he closed the public hearing and recognized Commissioner Smyth for action on this case. (Verbatim excerpts are in the date file.)

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Commissioner Smyth MOVED THAT THE PLANNING COMMISSION DETERMINE, IN ACCORDANCE WITH SECTION 15.2-2232 OF THE CODE OF VIRGINIA, THAT THE TELECOMMUNICATIONS FACILITY ESTABLISHED BY AT&T WIRELESS SERVICES AT THE ROUTE 50/ARLINGTON BOULEVARD INTERCHANGE ON I-495 IN MERRIFIELD, IS SUBSTANTIALLY IN ACCORD WITH THE PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioner Alcorn seconded the motion which carried by a vote of 9-0-1 with Commissioner Moon abstaining; Commissioner Koch not present for the vote; Commissioner Hall absent from the meeting.

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The meeting was adjourned at 10:06 p.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

For a verbatim record of this meeting, reference may be made to the audio and video recordings which may be found in the Office of the Planning Commission of Fairfax County, Virginia.

Minutes by: Gloria L. Watkins

Approved on: March 1, 2001

Mary A. Pascoe, Clerk to the
Fairfax County Planning Commission